

PTO/ST/37  
OCT 22 2003  
PATENT & TRADEMARK OFFICE

PTO/SB/37 (08-03)

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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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## Request for Deferral of Examination 37 CFR 1.103(d)

Application Number	10/660,984	Art Unit	Unassigned
Filing Date	September 12, 2003	Examiner Name	Unassigned
First Named Inventor	Steven W. Meeks	Attorney Docket Number	20830-08288

Address to: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby request deferral of examination under 37 CFR 1.103(d) for the above-identified (non-reissue) utility or plant application filed under 37 CFR 1.53(b) for a period of 36 months (maximum 3 years), from the earliest filing date for which a benefit is claimed. Deferral of examination under 37 CFR 1.103(d) is suspension of action. As a result, any patent term adjustment may be reduced. See 37 CFR 1.704(c)(1).

**Note:** The request will not be granted unless the application is in condition for publication as provided in 37 CFR 1.211(c) and the Office has not issued either an Office action under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151.

☐ If the application is filed prior to November 29, 2000:

I hereby request voluntary publication of the above-identified application under 37 CFR 1.221. A copy of the application in compliance with the Office's electronic filing system requirements has been submitted and the confirmation number is \_\_\_\_\_

**Note:** A request for voluntary publication under 37 CFR 1.221 requires a copy of the application in compliance with the Office's electronic filing system (EFS) requirements as set forth in the USPTO Electronic Business Center Web Page at [www.uspto.gov/ebc](http://www.uspto.gov/ebc), the publication fee set forth in 37 CFR 1.18(d), and the processing fee for the voluntary publication set forth in 37 CFR 1.17(i).

☐ If applicant previously filed a nonpublication request under 37 CFR 1.213(a):

I hereby rescind under 37 CFR 1.213(b) the previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

**Note:** Application will be scheduled for publication at 18 months from the earliest claimed filing date for which a benefit is claimed.

### Fees

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No. 19-2555
- i. ☒ Processing fee set forth in 37 CFR 1.17(i) for request for deferral of examination.
- ii. ☒ Publication fee set forth in 37 CFR 1.18(d).
- iii. ☐ Processing fee set forth in 37 CFR 1.17(i) for voluntary publication.
- iv. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 300. & \$130. is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed).

**WARNING:** Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**Note:** The publication fee set forth in 37 CFR 1.18(d) and the processing fee in 37 CFR 1.17(i) for deferral of examination are required when the request of deferral of examination is filed.

Name (Print/Type)	Nathan S. Huynh	Registration Number (Attorney/Agent)	53,052
Signature	<i>Nathan S. Huynh</i>	Date	10/17/2003

**Note:** Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms for more than one signature, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.103(d). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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OCT 22 2003

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 430.00**Complete if Known**

Application Number	10/660,984
Filing Date	September 12, 2003
First Named Inventor	Steven W. Meeks
Examiner Name	T. Nguyen
Art Unit	2877
Attorney Docket No.	20830-08288

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick &amp; West LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	=
Independent Claims	-3** =	X	=
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Publication Fee

300

**SUBTOTAL (3)** (\$)

430.

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Name (Print/Type)

Nathan S. Huynh

Registration No.  
(Attorney/Agent)

53,052

Complete (if applicable)

Telephone: 650-335-7211

Signature

Nathan S. Huynh

Date

10/17/2003

20830/08288/DOCS/1384633.1